

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARCUS IRVINE,

Plaintiff,

v.

ARTHUR CLARKE, et al.,

Defendants.

Case No. 1:19-cv-359

HON. JANET T. NEFF

OPINION AND ORDER

Defendants removed this case and filed a motion to dismiss Plaintiff's Complaint. Plaintiff filed a "Motion for estoppel and Writ for Habeas Corpus." The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R&R), recommending Plaintiff's motion be denied and Defendants' motion be granted. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation. Defendants filed a response to Plaintiff's objections. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections and issues this Opinion and Order.

This Court's local rule requires a party objecting to a magistrate judge's report and recommendation to "specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections." W.D. Mich. LCivR 72.3(b). Plaintiff has not specifically objected to any portion of the Magistrate Judge's Report and

Recommendation. Plaintiff fails to assert—let alone demonstrate—any factual or legal error in the Magistrate Judge’s analysis or conclusions. Accordingly, this Court adopts the Magistrate Judge’s Report and Recommendation as the Opinion of this Court. Further, this Court will enter a Judgment consistent with this Opinion and Order. *See* FED. R. CIV. P. 58. Therefore:

IT IS HEREBY ORDERED that Plaintiff’s Objections (ECF No. 36) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 35) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants’ Motion to Dismiss (ECF No. 6) is GRANTED for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that Plaintiff’s “Motion for Estoppel and Writ for Habeas Corpus” (ECF No. 25) is DENIED for the reasons stated in the Report and Recommendation.

Dated: March 3, 2020

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge